

REMARKS

Reconsideration and withdrawal of the rejection of claims 3 and 4 is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner rejected claims 3 and 4 under 35 U.S.C. § 103(a) as unpatentable over U.S. Pat. No. 5,467,931 to Dodd ("*Dodd*") in view of U.S. Pat. No. 4,090,672 to Ahrel ("*Ahrel*"). In this regard, the Examiner has contended that *Dodd* discloses a refiner with bars having grooves and *Ahrel* discloses the use of arcuate bars. Further, the Examiner noted that "whereby" clauses are purely functional in nature and do not in themselves further limit the apparatus as claimed.

By way of the present amendment, applicant has amended claim 3, changing the term "whereby" to "so that". Thus, as presently presented, the plurality of second grooves are specifically oriented to form a predetermined angle of from 10 degrees to 90 degrees with respect to the longitudinal direction of the bars so that the second grooves extend substantially radially with respect to the refining surface. Therefore, claim 3 does structurally require that the second grooves extend substantially radially with respect to the refining surface.

Neither *Dodd* nor *Ahrel* teach grooves extending substantially radially with respect to a refining surface. Claim 4 depends from claim 3 and therefor includes all of the features claimed in claim 3. Accordingly, Applicant respectfully submits that this amendment overcomes the rejection under 35 U.S.C. § 103(a), and therefore respectfully requests removal of same.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested

that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: May 8, 2008

Respectfully submitted,

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